

## Message Text

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45

ACTION EB-11

INFO OCT-01 ARA-16 IO-14 ISO-00 OIC-04 OMB-01 TAR-02

SPC-03 SWF-02 AGR-20 AID-20 CIAE-00 COME-00 INR-10

LAB-06 NSAE-00 RSC-01 SIL-01 STR-08 TRSE-00 CIEP-02

CEA-02 L-03 DLOS-06 ACDA-19 DODE-00 INT-08 FEA-02

SCI-06 SS-20 NSC-10 SSO-00 NSCE-00 INRE-00 USIE-00

PA-04 PRS-01 SAM-01 PM-07 COA-02 AF-10 EA-11 EUR-25

NEA-11 DRC-01 /271 W

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O R 141506Z FEB 74

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 3996

INFO AMEMBASSY MEXICO

USMISSION USUN NEW YORK

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EO 11652: N/A

TAGS: UNCTAD, EGEN

SUBJ: UNCTAD: CHARTER PARAGRAPH ON SEABEDS

SUMMARY: THIS CABLE SUMMARIZES STATUS OF DRAFTING ON PARA  
ON SEABEDS IN CHAPTER III OF CHARTER OF ECONOMIC RIGHTS AND  
DUTIES. ACTION REQUESTED: DEPARTMENT GUIDANCE REQUESTED  
ASAP ON PROPOSALS DISCUSSED PARAS 3 AND 5 BELOW.

1. WORKING GROUP I HELD FIRST READING OF CHAPTER I PARA ON SEABEDS.  
USDEL T\*BLD TEXT FROM POSITION PAPER. MEXICO THANKED U.S. FOR  
WILLINGNESS INCLUDE PARA ON SEABEDS. USSR REITERATED SUPPORT FOR  
ALTERNATIVE B IN TC/B/AC.12/2. INDIA SAID ANY PARA MUST INCLUDE  
CERTAIN KEY PRINCIPLES NOTABLY CONCEPTS OF COMMON HERITAGE OF  
SEABEDS, PEACEFUL USES AND EQUITABLY SHARED BENEFITS OF EXPLOITATION.  
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SEVERAL DELS (MAINLY WESTERN) SAID THEY WOULD STUDY U.S. TEXT.

IN SUMMARY. CHAIR SAID THERE NO LONGER OPPOSITION TO INCLUSION OF TEXT ON SEABEDS AND THERE SUFFICIENT AGREED TEXTS IN RES 2749 (XXV) TO EASE TASK OF DRAFTING GROUP.

2. IN DRAFTING GROUP, MEXICO SAID COULD NOT ACCEPT TEXT ON SEABEDS WHICH SIMPLY REFERENCED RESOLUTION 2749 (XXV). SAID CHARTER IS DOCUMENT FOR FUTURE AND SHOULD CONTAIN MINIMUM NUMBER OF AGREED PRINCIPLES STATED IN FORM OF DUTIES OF STATES. HE TALKED FOLLOWING TEXT: QUOTE: THE SEABED AND OCEAN FLOOR AND THE SUB-SOIL THEREOF BEYOND THE LIMITS OF NATIONAL JURISDICTION, AS WELL AS THE RESOURCES OF THE AREA ARE THE COMMON HERITAGE OF MANKIND. ALL STATES HAVE THE DUTY TO ENSURE THAT ITS UTILIZATION, EXPLORATION AND EXPLOITATION ARE CARRIED OUT EXCLUSIVELY FOR PEACEFUL PURPOSES AND FOR THE BENEFIT OF ALL PEOPLES. UNQUOTE.

3. INDIA OBJECTED THAT MEXICAN TEXT DID NOT ADEQUATELY COVER CONCEPT OF EQUITABLE SHARING OF BENEFITS. HE PROPOSED, AND MEXICO ACCEPTED, THAT SECOND SENTENCE OF MEXICAN TEXT BE DELETED AND FOLLOWING SUBSTITUTED: QUOTE: ALL STATES HAVE THE DUTY TO ENSURE THAT THEIR UTILIZATION, EXPLOITATION AND EXPLORATION ARE CARRIED OUT EXCLUSIVELY FOR PEACEFUL PURPOSES AND THAT THE BENEFITS THEREFROM ARE SHARED EQUITABLY AMONG ALL STATES TAKING INTO ACCOUNT THE PARTICULAR INTERESTS AND NEEDS OF DEVELOPING COUNTRIES. UNQUOTE.

4. USDEL NOTED WE HAD TAKEN IMPORTANT STEP IN AGREEING TO INSERT PARA ON SEABEDS AND URGED ADOPTION OF NEUTRAL TEXT. HE POINTED TO DIFFICULTIES OF PICKING AND CHOOSING FROM BALANCED DOCUMENT LIKE RES 2749 (XXV). USSR CONTINUED SUPPORT ALTERNATIVE B AND SUGGESTED PERHAPS BEST COURSE OF ACTION WOULD BE TO LEAVE WHOLE PARA OPEN UNTIL JUNE MEETING. MEXICO AND LDC'S DID NOT AGREE. USSR DEL SAID PRIVATELY HE HAD SOME PROBLEMS WITH U.S. TEXT NOTABLY USE OF NATIONAL JURISDICTION, WHICH IS UNDEFINED AND LEAVES DECISION TO EACH STATE, INSTEAD OF CONTINENTAL SHELF, WHICH IS MORE CLEARLY DEFINED. U.S., USSR AND MEXICAN-INDIAN TEXTS ARE NOW ONLY TEXTS BEFORE DRAFTING GROUP.

5. COMMENT: USDEL CONCERNED WE MAY BECOME ISOLATED IF WE CONTINUE BE UNWILLING INSERT IN CHARTER PRINCIPLES ON SEABEDS LIMITED OFFICIAL USE

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AGREED IN RES 2749 (XXV). WE NOTE THAT MEXICAN-INDIAN DRAFT IS BASICALLY SKILLFUL REDRAFT OF PORTIONS OF PARAS 1, 5, 7, AND 9 OF RES 2749 (XXV). OUR TACTICAL POSITION WOULD BE ENHANCED IF WE WERE TO SAY WE COULD ACCEPT PRECISE LANGUAGE OF RES 2749 (XXV). IF DEPT. APPROVES, WE WOULD USE PARAS 1, 5, 7, AND 9.

6. REQUEST GUIDANCE SOONEST. DALE

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SEABED, AGREEMENTS  
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**Subject:** UNCTAD: CHARTER PARAGRAPH ON SEABEDS SUMMARY: THIS CABLE SUMMARIZES STATUS OF DRAFTING ON PARA  
**TAGS:** EGEN, UR, UNCTAD  
**To:** STATE  
**Type:** TE  
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